

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**DOCKETING DEPARTMENT**

**NOTICE OF FILING AND HEARING**

**DOCKET NO. 2005-189-C**

Acceris Management and Acquisition, LLC ("ACCERIS" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission") for a Certificate of Public Convenience and Necessity to resell intrastate Interexchange telecommunications services and for authority to acquire certain assets, including, but not limited to, the subscriber base of Acceris Communications Corporation ("ACC" or "Seller" and collectively with ACCERIS, "the Parties") and to grant such relief on an expedited basis to allow for the consummation of the transaction without undue delay. The Application was filed pursuant to S.C. Code Ann. §58-9-280, §58-9-310, and the rules and regulations of the Commission. Additionally, ACCERIS requests that the Commission regulate its long distance business services, consumer card services, private line services, and operator assisted service offerings in accordance with the principles and procedures established for alternative regulations in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, as modified by Order No. 2001-997 in Docket No. 2000-407-C. Pursuant to an Asset Purchase Agreement, by and among ACCERIS, North Central Equity LLC (the Buyer's Guarantor), Acceris Communications, Incorporated, its wholly owned subsidiary ACC, and majority stockholder Counsel Corporation, ACC will sell, transfer, and otherwise convey, and ACCERIS will purchase and acquire the assets, and assume certain liabilities of ACC's telecommunications business. In the State of South Carolina, the acquired assets will include long distance customers; however, ACC has no local customers in the State of South Carolina.

A copy of the Application is on file in the offices of the Public Service Commission of South Carolina, 101 Executive Center Drive, Columbia, South Carolina 29210, and the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

**PLEASE TAKE NOTICE** a hearing on the above matter has been scheduled to begin at **10:00 a.m. on Monday, October 24, 2005**, before Hearing Examiner David Butler, Esquire in the Commission's Meeting Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before **August 29, 2005** and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. ***Please refer to Docket No. 2005-189-C.***

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department in writing at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and Bonnie D. Shealy, Esquire, at the above address in writing, on or before **August 29, 2005**, and indicate the amount of time required for his presentation. ***Please refer to Docket No. 2005-189-C.***

Any person who wishes to be notified of any change in the hearing date, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before **August 29, 2005**. ***Please refer to Docket No. 2005-189-C.***

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission by dialing (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211

JUL-27-05